



No. 38

September 17, 2003

S. 1391/H.R. 2691 – Department of the Interior and Related Agencies Appropriations Bill, FY 2004

Calendar No. 196

Reported as an original bill on July 10, 2003 from the Committee on Appropriations by a vote of 29-0: S. Rept. 108-89.

NOTEWORTHY

- S. 1291 contains \$19.63 billion for Interior and Related Agencies for fiscal year 2004, an amount which is \$130.2 million less than the 2003 appropriation and \$74.7 million more than the Administration's request.
- The Committee provides \$9.83 billion for Department of the Interior programs (Title I) and \$9.78 billion for the related agencies funded in this bill (Title II).
- The Committee provides \$2.24 billion for Forest Service (under USDA) and Department of the Interior Wildland Fire Management programs, an amount which is slightly above the request and \$221 million above the base funding provided for FY03. It also provides \$417 million for Hazardous Fuels Reduction work by the Bureau of Land Management and the Forest Service, a level equal to the budget request.
- Oil and gas leasing and other mineral leasing activities, recreation and user fees, the timber and range programs, and oil production from the naval petroleum reserves are estimated to generate income to the Federal Government of \$7.95 billion in FY04, which is \$430 million less than estimated FY03 receipts.
- The House passed its Interior & Related Agencies funding bill, H.R. 2691, on July 17 by a vote of 268-152. That bill provides \$19.60 billion in FY04 funds.

Highlights

S. 1391 provides funding for all of the agencies and bureaus of the Department of the Interior (except the Bureau of Reclamation), as well as for the following other agencies: Forest Service (an agency of the USDA); a number of programs under the Department of Energy, including the Strategic Petroleum Reserve account; Indian Health Service (under the Department of Health and Human Services); and a variety of cultural programs and agencies, including the Smithsonian Institution, National Gallery of Art, and the National Foundation on the Arts and Humanities.

- Among the agencies **funded higher than the Administration's request** are: the **Bureau of Land Management (BLM)** at \$22.4 million more than requested; **U.S. Fish and Wildlife Service** at \$53 million more than requested; **U.S. Geological Survey** at \$33.4 million more than requested; **Bureau of Indian Affairs** at \$27.7 million more than requested; **Forest Service** at \$36.7 million more than requested; and the **Indian Health Service** at \$48.1 million more than requested.
- Among the agencies **funded lower than the Administration's request** is the **National Park Service**, funded at \$41 million less than the Administration's request. The Department of Energy's **Clean Coal Technology program** is recommended by the committee for a deferral of \$97 million in previously appropriated (forward-funded) money, which accounts for most of the difference between the Committee recommendation for the Department of Energy and the amount requested (the Administration requested no new funds, but did not request a deferral). **The National Endowment for the Humanities** is provided \$10 million less than the request.
- The FY04 appropriations for **fire suppression** are the same as requested by the Administration, are based on the 10-year average cost of suppression, and are more than last year's original appropriation. Last year, Congress provided an additional \$825 million for wildfire suppression in a supplemental bill.
- The Committee states borrowing from a number of accounts, including land acquisition, may be required to cover the costs of **fire suppression**. Due to the constraints on funding for land acquisition, the Committee feels it is important that funds appropriated for land acquisition be obligated as promptly as possible. Any funds that cannot be used by a field unit within a reasonable amount of time should be made available for reprogramming, transfer or rescission. The Committee therefore directs the **BLM**, the **Fish and Wildlife Service**, the **National Park Service**, and the **Forest Service** to report to the Committee by May 1 of each year on any unobligated balances remaining at the field unit level.

- The bill prohibits the **Forest Service** from initiating additional competitive sourcing studies until such time as the Committee has received and approved a proposal that includes the number of positions to be studied, the amount of funding required, and the activities from which funding will be reprogrammed. The proposal should also provide the same information for activities undertaken in FY03.
- Sections 107 through 109 of the bill prohibit the use of funds provided in the act for certain **offshore leasing and related activities** pursuant to the revised five-year plan for the **Outer Continental Shelf** oil and gas leasing.

Bill Provisions

Title I: Department of the Interior

The Committee provides \$9.83 billion for the Interior Department in FY04, \$70.5 million more than the Administration's request and \$242.7 million more than the amount appropriated for FY03.

Bureau of Land Management (BLM): The Committee appropriates \$1.72 billion for the BLM, an increase of \$22.4 million over the Administration's request and \$118.9 million less than FY03. The Committee includes \$847.1 million for Lands and Resources Management, \$19 million more than the Administration's request and \$26.7 million more than FY03 appropriation. Also provided is \$698.7 million for Wildland Fire Management, which is the same as the budget request and \$140.4 million below FY03 funding (which included supplemental funding). The bill also includes \$10 million for central hazardous materials funds, \$12.5 million for construction, \$25.6 million for land acquisition, \$106.7 million for Oregon and California grant lands, and \$10 million for range improvements.

Fish and Wildlife Service: The Committee appropriates \$1.34 billion for the U.S. Fish and Wildlife Service, an increase of \$53 million over the Administration's request and \$94.7 million more than the amount appropriated for FY03. The Committee provides \$942.2 million for resource management, \$53.3 million for construction, \$64.7 million for land acquisition, \$40 million for the Landowner Incentive Program, \$10 million for stewardship grants, \$86.6 million for the Cooperative Endangered Species Conservation Fund, \$153 million for various conservation and refuge funds, and \$75 million for state and tribal wildlife grants.

National Park Service: The Committee provides \$2.32 billion for the National Park Service, which is \$41 million below the Administration's request and \$81.4 million above the appropriation for FY03. The bill provides \$80 million less than requested for Land Acquisition and State Assistance, but provides more than requested for National Recreation and Preservation, Historic Preservation Fund, and Construction, among other accounts. The bill includes \$1.64 billion for the operation of the National Park System, which is \$4.4 million above the budget request and \$72 million above FY03

appropriations. This includes \$342.5 million for resource stewardship, \$324 million for visitor services, \$567.3 million for maintenance, and \$288.3 million for park support.

Also included in the Park Service's appropriation is \$78.3 million for the park police, \$60.2 million for national recreation and preservation, \$305,000 for the Urban Parks and Recreation Fund, \$75.8 million for the Historic Preservation Fund, \$341.5 million for construction, and \$158.5 million for land acquisition and state assistance.

U.S. Geological Survey: The Committee recommends a total appropriation of \$928.9 million, \$33.4 million more than the Administration's budget request and \$9.6 million more than FY03, for surveys, investigations, and research.

Minerals Management Service (MMS): The Committee recommends \$173.1 million, which is \$1.8 million above the Administration's request and \$2.8 million more than the FY03 appropriation. This includes \$166 million for royalty and offshore minerals management and \$7.1 million for oil spill research.

Office of Surface Mining Reclamation and Enforcement: The bill provides \$297.6 million, \$16.4 million above the Administration's request, and \$2.4 million above the FY03 appropriation. This includes \$106.7 million for regulation and technology and \$190.9 million for the Abandoned Mine Reclamation Fund.

Indian Affairs

Bureau of Indian Affairs: The Committee provides \$2.32 billion, which is \$27.7 million more than the Administration's budget request and \$63.2 million more than appropriated for FY03. The Committee recommends \$1.9 billion for the operation of Indian programs, \$351.2 million for construction, \$50.6 million for Indian land and water claims settlements and miscellaneous payments to Indians, and \$6.5 million for the Indian Guaranteed Loan Program Account.

Indian Health Services (in Title II): The Committee recommends an appropriation of \$2.94 billion for the Indian Health Service, an increase of \$88.1 million above the current enacted level, and \$48 million over the budget request. This total includes \$391.2 million for Indian health facilities.

Other Native American Programs (in Title II): The bill provides \$13.5 million for the Office of Navajo and Hopi Indian Relocation and \$6.3 million for payments to the Institute of American Indian and Alaska Native Culture and Arts Development.

Title II: Related Agencies

For Title II, Related Agencies, the Committee provides \$9.78 billion, \$416.5 million less than the FY03 appropriation and \$52.2 million more than the budget request. Wildland Fire Management is funded at \$463.9 million less than the FY03 amount, but that amount included \$636 million to partially repay previous emergency fire suppression expenditures.

U.S. Forest Service (Department of Agriculture): For the Forest Service, the Committee provides \$4.09 billion, which is \$36.7 million more than the Administration's request and \$492.1 million below the FY03 appropriation. For specific programs, the Committee recommendations include:

- For **Forest and Rangeland Research**, the Committee recommends \$266.2 million, which is \$14 million above the budget request and \$16 million above the FY03 appropriation.
- The bill provides \$295.3 million for **State and Private Forestry**, which is \$10.6 million above the FY03 level, and \$20.5 million below the Administration's request. This includes \$82 million for forest health management, \$30.5 million for cooperative fire protection, \$176.7 million for cooperative forestry, and \$6 million for international programs.
- For the **National Forest System**, the Committee recommends \$1.37 billion, which is \$1.2 million over the budget request and an increase of \$17.3 million over the FY03 appropriation. This includes \$70 million for land management planning, \$254.9 million for recreation, heritage and wilderness, \$134.8 million for wildlife and fish habitat management, \$46 million for grazing management, \$268 million for forest products, \$193.6 million for vegetation and watershed management, \$54.1 million for minerals and geology management, \$91.7 million for land ownership management, and \$82 million for law enforcement.
- The Committee recommends \$1.54 billion for **Wildland Fire Management**, which is \$1.3 million above the request and \$463.9 million below the FY03 enacted level (but that amount included \$636 million to partially repay previous emergency fire suppression expenditures). [Note: see Possible Amendments.]
- For **Capital Improvement and Maintenance** (which includes facilities, roads, trails and infrastructure improvement), the Committee recommends \$532.4 million, \$7.8 million above the budget request and \$16 million below the FY03 appropriation. Of that, \$209.4 million is for facilities, \$228.8 million is for roads, \$69.2 million is for trails and \$25 million is for infrastructure improvement.
- The Committee provides \$77 million for **Land Acquisition**, \$32.9 million above the budget request and \$55.9 million below the FY03 appropriation.

Department of Energy

For the Department of Energy programs funded under this appropriation bill, the Committee provides \$1.67 billion, \$32.5 million below the budget request and \$69.2 million below the FY03 amount.

Clean Coal Technology: The Committee recommends a deferral of the \$97 million in previously appropriated forward-funding for the Clean Coal Technology program.

Fossil Energy Research and Development: The Committee provides \$593.5 million for fossil energy and development, a decrease of \$27.3 million from the FY03 appropriation but \$79.2 million over the budget request. This includes \$130 million for the Clean Coal Power Initiative, \$258.6 million for fuels and power systems, \$41.9 million for natural gas technologies, and \$34.5 million for oil technologies.

Energy Conservation: The Committee recommends \$861.6 million for energy conservation, \$14.1 million below the budget request and \$30.1 million below the FY03 appropriation. This includes \$174.2 million for vehicle technologies, \$68.5 million for fuel cell technology, \$311.5 million for weatherization and intergovernmental activities, \$57.5 million for distributed energy resources, \$62.1 million for building technologies, \$76.4 million for industrial technologies, \$10.8 million for biomass and biorefinery R&D, \$19.9 million for the Federal Energy Management Program, and \$80.7 million for program management.

Strategic Petroleum Reserve: The Committee recommends \$173.1 million for operation of the Strategic Petroleum Reserve, an increase of \$1.3 million from the FY03 enacted level and a decrease of \$2 million from the budget request.

Energy Information Administration: The Committee provides \$80.1 million, which is the same as the budget request, and \$24 million more than the FY03 appropriation.

Cultural Programs

Smithsonian Institution: The Committee recommends \$578 million for the Smithsonian, \$11.4 million more than the budget estimate and \$33.1 million above the FY03 appropriation.

National Foundation on the Arts and the Humanities: The Committee provides \$259.5 million for the Foundation, \$10 million less than the Administration's request and \$18.8 million more than the FY03 appropriation. This includes \$117.5 million for the National Endowment for the Arts and \$142 million for the National Endowment for the Humanities.

Title III: General Provisions

The Committee has included 34 provisions that are described beginning on page 80 of the Committee Report and page 108 of the bill text. The title contains several new provisions, including Sections 315, 317, 325, 326, 327, 329, 330, 331, 332, 333, and 334.

Cost

The Committee, in consultation with the Congressional Budget Office, estimates that the bill provides budget authority of \$19.627 billion in discretionary spending (which is the subcommittee's allocation), and \$64 million in mandatory spending. It would result in outlays of \$13.14 billion in FY04, \$4.12 billion in FY05, \$1.48 billion in FY06, \$638 million in FY07, and \$244 million in FY08 and future years.

Possible Amendments

Competitive Sourcing: An amendment to prohibit any new competitive sourcing studies for all agencies funded in the bill.

Wildland Firefighting: An amendment to repay funds borrowed in FY03 for wildland firefighting.